

103^D CONGRESS
2^D SESSION

H. R. 3732

To designate certain lands in the State of Idaho as wilderness, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JANUARY 25, 1994

Mr. LARocco introduced the following bill; which was referred jointly to the Committees on Natural Resources and Agriculture

A BILL

To designate certain lands in the State of Idaho as wilderness, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE AND TABLE OF CONTENTS.**

4 (a) SHORT TITLE.—This Act may be cited as the
5 “Idaho Wilderness, Sustainable Forests and Communities
6 Act of 1994”.

7 (b) TABLE OF CONTENTS.—The table of contents for
8 this Act is as follows:

- Sec. 1. Short title and table of contents.
- Sec. 2. Findings.
- Sec. 3. Purposes.

- Sec. 101. Panhandle National Forest.
- Sec. 102. Clearwater National Forest.
- Sec. 103. Nez Perce National Forest.
- Sec. 104. Payette National Forest.
- Sec. 105. Boise National Forest.
- Sec. 106. Administration and general provisions.
- Sec. 107. Private property rights.
- Sec. 108. Grazing.

TITLE II—IDAHO FOREST MANAGEMENT

- Sec. 201. Panhandle National Forest.
- Sec. 202. Nez Perce National Forest.
- Sec. 203. Payette National Forest.
- Sec. 204. Boise National Forest.
- Sec. 205. Management plans.
- Sec. 206. Map and description.
- Sec. 207. Water quality on the Panhandle National Forest.
- Sec. 208. Monitoring of management areas.

TITLE III—RELEASE TO MULTIPLE USE AND WATER RIGHTS

- Sec. 301. Wilderness review.
- Sec. 302. Water rights.

TITLE IV—IDAHO RURAL ECONOMIC DEVELOPMENT

- Sec. 401. Findings and purposes.
- Sec. 402. Ecosystem restoration and rehabilitation projects.
- Sec. 403. Authorization of appropriations.

1 **SEC. 2. FINDINGS.**

2 Congress finds the following:

3 (1) The State of Idaho contains some
 4 9,300,000 roadless acres of land owned by the Fed-
 5 eral Government and managed by the Forest Serv-
 6 ice. This vast roadless tract of primitive and unde-
 7 veloped land is the largest unroaded area within a
 8 State in the conterminous United States and is of
 9 immense national significance.

10 (2) Certain of these wildlands should be incor-
 11 porated into the National Wilderness Preservation
 12 System to provide statutory protection for lands con-

1 taining diverse habitats and watersheds vital to resi-
2 dent and anadromous fisheries and wildlife; to pre-
3 serve scenic, historical and cultural values; to pro-
4 mote scientific research; and to provide for primitive
5 recreation, solitude, and physical and mental chal-
6 lenges.

7 (3) Congressional resolution of disputes over fu-
8 ture management of Idaho's vast roadless lands is
9 necessary to assure a dependable and sustainable
10 supply of timber from Federal lands so that natural
11 resource-based commodity production continues as
12 an important part of rural life in Idaho.

13 (4) Congressional direction is required through
14 the establishment of management areas on identified
15 roadless lands to ensure effective implementation of
16 forest plans for national forests in Idaho.

17 (5) A key to creating sustainable economies in
18 Idaho's rural communities is prudent and ecological
19 management of the land to assure long-term produc-
20 tivity.

21 (6) Idaho's roadless areas are vital to the
22 State's growing tourism industry, outfitting and
23 guiding, backcountry recreation, and municipal wa-
24 tersheds.

1 (7) Idaho's roadless lands released by this Act
2 for nonwilderness purposes provide valuable dis-
3 persed recreation opportunities for motorized and
4 nonmotorized users.

5 (8) There have been several confirmed
6 sightings, and hundreds of probable sightings, of
7 gray wolf in Idaho's established wilderness and
8 roadless areas.

9 **SEC. 3. PURPOSES.**

10 The purposes of this Act are to—

11 (1) provide a comprehensive, statutory frame-
12 work for the protection, administration, and man-
13 agement of certain roadless wildlands of Idaho
14 through—

15 (A) the addition of certain roadless lands
16 to existing wilderness areas;

17 (B) the designation of certain roadless
18 lands as management areas, an historic area,
19 and forest demonstration projects;

20 (C) the addition to the National Wilder-
21 ness Preservation System of certain roadless
22 lands; and

23 (D) the release of certain National Forest
24 System lands for multiple-uses other than wil-

1 derness in accordance with title III of this Act;
 2 and

3 (2) end the controversy over which roadless
 4 lands within Idaho will be designated wilderness,
 5 while assuring that certain roadless lands better
 6 suited for special management be managed by the
 7 Forest Service under title II of this Act, and those
 8 lands better suited for multiple use other than wil-
 9 derness will be managed by the Forest Service under
 10 applicable laws including the laws, rules, and regula-
 11 tions generally applicable to the National Forest
 12 System and applicable land management plans.

13 **TITLE I—IDAHO WILDERNESS**

14 **SEC. 101. PANHANDLE NATIONAL FOREST.**

15 In furtherance of the purposes of the Wilderness Act
 16 (16 U.S.C. 1131–1136), the following lands in the State
 17 of Idaho are hereby designated as wilderness and therefore
 18 as components of the National Wilderness Preservation
 19 System:

Name of Wilderness Area	Approximate Acreage
Salmo-Priest	19,000
Long Canyon	39,000
Scotchman Peaks	24,000
Mallard-Larkins	123,000

20 **SEC. 102. CLEARWATER NATIONAL FOREST.**

21 In furtherance of the purposes of the Wilderness Act
 22 (16 U.S.C. 1131–1136), the following lands in the State

1 of Idaho are hereby designated as wilderness and therefore
 2 as components of the National Wilderness Preservation
 3 System:

Name of Wilderness Area	Approximate Acreage
Mallard-Larkins	77,000
The Great Burn	225,000
Lewis and Clark	43,000
Selway-Bitterroot Additions	38,000

4 The provisions of this Act relating to the Clearwater Na-
 5 tional Forest shall supersede section 2(a) of the settlement
 6 agreement entered into on September 23, 1993, in The
 7 Wilderness Society, et al. v. Robertson, et al., Civil No.
 8 93-0043-S-HLR (D. Idaho), and Sierra Club v. Robert-
 9 son, Civil No. 93-0044-S-HLR (D. Idaho). No later than
 10 December 31, 1996, the Secretary shall submit a report
 11 to the Committee on Natural Resources and the Commit-
 12 tee on Agriculture of the House of Representatives con-
 13 cerning progress of implementing section 1 of such settle-
 14 ment agreement.

15 **SEC. 103. NEZ PERCE NATIONAL FOREST.**

16 (a) DESIGNATION.—In furtherance of the purposes of
 17 the Wilderness Act (16 U.S.C. 1131–1136), the following
 18 lands in the State of Idaho are hereby designated as wil-
 19 derness and therefore as components of the National Wil-
 20 derness Preservation System:

Name of Wilderness Area	Approximate Acreage
Selway-Bitterroot Addition (East Meadow Creek)	102,000
Selway-Bitterroot Addition (Bear Creek/Montana line) ...	1,000

(b) BOUNDARY ADJUSTMENT.—Section 4(a)(1) of the Endangered American Wilderness Act of 1978 (Public Law 95–237; 92 Stat. 43) is amended by striking “which comprise about two hundred and six thousand acres, as generally depicted under the category ‘Wilderness’ on a map entitled ‘Gospel-Hump Planning Unit’ and dated January 1978,” and inserting “which comprise 205,933 acres, as generally depicted under the category ‘Wilderness’ on a map entitled ‘Gospel-Hump Revised Boundaries’ and dated March 1983,”.

SEC. 104. PAYETTE NATIONAL FOREST.

(a) IN GENERAL.—In furtherance of the purposes of the Wilderness Act (16 U.S.C. 1131–1136), the following lands in the State of Idaho are hereby designated as wilderness and therefore as components of the National Wilderness Preservation System:

Name of Wilderness Area	Approximate Acreage
French Creek	43,000
Patrick Butte	48,000
Needles	96,000
Secesh	116,000

(b) EXCLUSIONS.—The Secesh Wilderness designated by subsection (a) shall not include—

(1) the South Fork of the Salmon River 4WD trail (Forest Service trail number 076); and

(2) the adjacent private lands located along the trail referred to in paragraph (1).

1 The Secretary of Agriculture shall maintain such trail to
 2 prevent erosion and stream sedimentation.

3 **SEC. 105. BOISE NATIONAL FOREST.**

4 In furtherance of the purposes of the Wilderness Act
 5 (16 U.S.C. 1131–1136), the following lands in the State
 6 of Idaho are hereby designated as wilderness and therefore
 7 as components of the National Wilderness Preservation
 8 System:

Name of Wilderness Area	Approximate Acreage
Needles	4,000
Hanson Lake	14,000
Red Mountain	88,000
Ten Mile-Black Warrior	79,000
Peace Rock	94,000

9 **SEC. 106. ADMINISTRATION AND GENERAL PROVISIONS.**

10 (a) ADMINISTRATION.—Subject to valid existing
 11 rights, the wilderness areas designated under this title
 12 shall be administered by the Secretary of Agriculture
 13 (hereinafter in this Act referred to as the “Secretary”)
 14 in accordance with the provisions of the Wilderness Act
 15 governing areas designated by that Act as wilderness, ex-
 16 cept that any reference in such provisions to the effective
 17 date of the Wilderness Act (or any similar reference) shall
 18 be deemed to be a reference to the date of enactment of
 19 this Act.

20 (b) NAME.—Each wilderness area named in a table
 21 contained in this title shall be the area referenced in that
 22 table, as generally depicted on the map entitled “_____”

1 and known by the name given to it in that table, except
2 that the Selway-Bitterroot Additions on the Clearwater
3 and Nez Perce National Forests made by sections 102 and
4 103 shall be added to, and administered as part of, the
5 Selway-Bitterroot Wilderness and the Frank Church-River
6 of No Return Addition on the Payette National Forest
7 made by section 104 shall be added to, and administered
8 as part of, the Frank Church-River of No Return Wilder-
9 ness.

10 (c) MAPS AND DESCRIPTIONS.—As soon as prac-
11 ticable after enactment of this Act, the Secretary shall file
12 a map and a legal description of each wilderness area des-
13 ignated under this title with the Committee on Natural
14 Resources and the Committee on Agriculture of the House
15 of Representatives and with the Committee on Energy and
16 Natural Resources of the Senate. Each such map and de-
17 scription shall have the same force and effect as if in-
18 cluded in this Act, except that correction of clerical and
19 typographical errors in such legal description and map
20 may be made. Each such map and legal description shall
21 be on file and available for public inspection in the Office
22 of the Chief of the Forest Service, United States Depart-
23 ment of Agriculture.

24 (d) BUFFER ZONES NOT INTENDED.—The Congress
25 does not intend that designation of wilderness areas in the

1 State of Idaho lead to the creation of protective perimeters
2 or buffer zones around each wilderness area. The fact that
3 nonwilderness activities or uses can be seen or heard from
4 areas within a wilderness shall not, of itself, preclude such
5 activities or uses up to the boundary of the wilderness
6 area.

7 (e) WILDLIFE AND FISH.—As provided in section
8 4(d)(7) of the Wilderness Act, nothing in this Act shall
9 be construed as affecting the jurisdiction or responsibil-
10 ities of the State of Idaho with respect to wildlife and fish
11 in the national forests in the State of Idaho.

12 **SEC. 107. PRIVATE PROPERTY RIGHTS.**

13 (a) PROCEDURE.—Any owner of lands adjacent to
14 any area designated as wilderness by this Act who claims
15 any reduction in value of such lands as a result of the
16 designation of wilderness by this Act, or the management
17 as wilderness of lands designated as wilderness by this
18 Act, may file with the Secretary a claim for compensation
19 for such reduction.

20 (b) NEGOTIATIONS.—The Secretary is authorized to
21 enter into negotiations with a party filing a claim under
22 subsection (a) to determine appropriate compensation, if
23 any, with respect to such claim. The Secretary shall pay
24 compensation with respect to any such a claim to the ex-

1 tent required by the Fifth Amendment to the Constitution
2 of the United States.

3 (c) OTHER REMEDIES.—Nothing in this section shall
4 be construed as increasing or diminishing the ability of
5 any party to seek compensation pursuant to other applica-
6 ble law, including (but not limited to) section 1491 of title
7 28, United States Code (commonly referred to as the
8 “Tucker Act”), or as precluding or limiting any defenses
9 or claims otherwise available to the United States or any
10 other party in connection with any action seeking such
11 compensation.

12 **SEC. 108. GRAZING.**

13 Grazing of livestock in wilderness areas designated by
14 this Act, where established prior to the date of enactment
15 of this Act, shall be administered in accordance with the
16 provisions of section 4(d)(4) of the Wilderness Act (16
17 U.S.C. 1133(d)(4)), as further interpreted by section 108
18 of Public Law 96–560.

19 **TITLE II—IDAHO FOREST**
20 **MANAGEMENT**

21 **SEC. 201. PANHANDLE NATIONAL FOREST.**

22 (a) FINDING.—Congress finds that:

23 (1) 78 percent of Boundary County is Federal
24 land, and the full spectrum of public use of these
25 timberlands, including motorized and nonmotorized

1 recreation and timber production, has been heavily
2 restricted to protect four species listed under the
3 Endangered Species Act of 1973 including grizzly
4 bear, woodland caribou, bald eagle, and the gray
5 wolf. An additional nine species found in the county
6 are candidates for listing under the Endangered
7 Species Act of 1973, including the Kootenai white
8 sturgeon, bull trout, harlequin duck, lynx, northern
9 goshawk, wolverine, and three plants.

10 (2) Direct employment in the wood products in-
11 dustry accounts for nearly 20 percent of all employ-
12 ment in the county. The regional reduction in Fed-
13 eral timber supply played a significant role in the
14 January 1994 closure of two Crown Pacific mills lo-
15 cated in Long Lake, Washington, and Superior,
16 Montana.

17 (3) The reduced timber harvest on Federal
18 lands has greatly increased pressure to quickly har-
19 vest timber on private lands in the county.

20 (b) SELKIRK CREST MANAGEMENT AREA.—

21 (1) DESIGNATION.—The area on the Panhandle
22 National Forest, comprised of approximately 21,000
23 acres as generally depicted on the map entitled “Sel-
24 kirk Crest Management Area—Proposed”, is des-
25 ignated as the Selkirk Crest management area.

1 (2) MANAGEMENT EMPHASIS.—The manage-
 2 ment of the Selkirk Crest management area shall be
 3 in accordance with the memorandum of understand-
 4 ing relating to such area, entered into between the
 5 Forest Service and the State of Idaho on May 6,
 6 1971, as it may be modified by agreement of the
 7 parties.

8 (c) OTHER MANAGEMENT AREAS.—

9 (1) DESIGNATIONS.—The following areas on
 10 the Panhandle National Forest, as generally de-
 11 picted on the map entitled “Panhandle National
 12 Forests Management Areas—Proposed”, are hereby
 13 designated as management areas:

Name of Area	Approximate Acreage
Continental Mountain	6,000
Saddle Mountain	6,000
Farnham/Russell	24,000
Burton Peak	9,000
Katka Peak	11,000
Bald Eagle	4,000
Timber/Buck	8,000

14 (2) MANAGEMENT EMPHASIS.—The manage-
 15 ment areas designated by paragraph (1) shall be
 16 managed to provide for the sustainable growth and
 17 production of commercially valuable wood products
 18 and general public use on lands suitable for timber
 19 production while managing identified grizzly bear
 20 and caribou habitat. Timber harvest shall emphasize
 21 reduction of stand density, increased species diver-

1 sity and forest health. Treatment priorities should
2 be in areas with significant insect and disease activ-
3 ity. A full range of recreation opportunities should
4 be provided, including motorized and non-motorized.

5 (d) IMPACT ANALYSIS.—

6 (1) REQUIREMENT.—With respect to the lands
7 described in paragraph (2), the Secretary of Com-
8 merce shall compile such information regarding the
9 economic impact and other relevant impact of des-
10 ignating such lands as critical grizzly bear habitat as
11 would be required to be compiled by section 4(b)(2)
12 of the Endangered Species Act of 1973 if such Sec-
13 retary were to make such designation of such lands.

14 (2) LANDS.—Paragraph (1) shall apply to all
15 Federal lands within the Kaniksu National Forest in
16 the State of Idaho which as of the date of enactment
17 of this Act are being managed so as to maintain the
18 value of such lands as habitat for grizzly bears.

19 (3) COMMENTS AND TRANSMITTAL.—(A) In im-
20 plementing this subsection, the Secretary of Com-
21 merce shall seek the comments of Idaho Department
22 of Commerce and the University of Idaho.

23 (B) Not later than 1 year after the date of en-
24 actment of this Act, the Secretary of Commerce
25 shall transmit all information compiled pursuant to

1 this section, and all comments received thereon, to
2 the Secretary of Agriculture, the Governor of Idaho,
3 and the Commissioners of Boundary County, Idaho.

4 (e) MARBLE CREEK HISTORIC AREA.—

5 (1) DESIGNATION.—The area on the Panhandle
6 National Forest, comprised of approximately _____
7 acres as generally depicted on the map entitled
8 “Marble Creek Historic Area—Proposed”, is des-
9 ignated as the Marble Creek historic area.

10 (2) MANAGEMENT.—(A) The Marble Creek his-
11 toric area shall be managed to interpret and pro-
12 mote the history of logging. Nothing in this sub-
13 section shall be construed to inhibit logging in the
14 area, except as provided in subparagraph (B).

15 (B) The Marble Creek historic area includes a
16 high country component, comprised of approximately
17 45 acres, generally known as the Grandmother
18 Mountain area and which shall hereafter be known
19 as the “Jack Johnston Recreation Area”. The man-
20 agement emphasis of the Jack Johnston Recreation
21 Area shall be primitive, non-motorized recreation
22 and the area shall be managed to promote fishing,
23 hunting, and wildlife habitat. Logging and road con-
24 struction shall not be permitted in the Jack John-
25 ston Recreation Area.

1 (f) ST. JOE FOREST DEMONSTRATION PROJECT.—

2 (1) IN GENERAL.—The Secretary shall conduct
3 a demonstration project on the St. Maries and
4 Palouse Ranger Districts on the St. Joe National
5 Forest. The purpose of the project shall be to dem-
6 onstrate the change in timber volume and its rela-
7 tionship with water, wildlife, and other values result-
8 ing from investment in good sites on lands already
9 roaded.

10 (2) SITES.—Within the 6-month period begin-
11 ning on the date of the enactment of this Act, the
12 Forest Service shall locate sites on the St. Joe Na-
13 tional Forest outside wilderness or other areas where
14 timber harvest is not permitted and where timber
15 productivity is greater than 70 cubic feet per acre
16 per year. These sites shall be intensively managed
17 for timber production using mostly uneven-aged
18 management and silvicultural practices, including
19 pre-commercial thinning, fertilization, pruning,
20 planting of diverse species, and tree improvement
21 through genetic experimentation. The selection of
22 sites under this paragraph does not preclude the
23 identification of small, high class sites below 5,000
24 feet in altitude which should be excluded from such
25 management for genetic and biological purposes.

1 (3) MONITORING AND APPLICABLE STAND-
2 ARDS.—The Forest Service shall, in cooperation with
3 the University of Idaho, continually monitor the
4 demonstration project to determine the change in
5 timber volume, water quality, soil erosion, wildlife
6 presence, and investment return. Water quality
7 standards and old-growth standards, as such stand-
8 ards may be modified from time to time, shall re-
9 main in effect on the lands affected by the dem-
10 onstration project carried out under this subsection.

11 (4) ADVISORY GROUP.—The Secretary shall ap-
12 point a citizens advisory group to provide guidance
13 and advice to the Forest Service in implementing
14 this subsection. The advisory group shall be com-
15 prised of 5 local individuals and shall represent di-
16 verse interests.

17 (5) EXISTING TIMBER SALES.—Implementation
18 of this subsection shall not affect timber sales under
19 contract or near completion of preparation as of the
20 end of the 6-month period referred to in paragraph
21 (2).

22 (6) SUNSET.—The demonstration project car-
23 ried out under this subsection shall terminate at the
24 end of the 20-year period beginning on the date of
25 the enactment of this Act.

1 **SEC. 202. NEZ PERCE NATIONAL FOREST.**

2 (a) GENERAL MANAGEMENT DIRECTIVE.—The man-
3 agement area designated by this section shall be adminis-
4 tered in accordance with applicable laws including this
5 Act; the laws, rules, and regulations applicable to the Na-
6 tional Forest System; and the document entitled the “Nez
7 Perce National Forest Plan”, adopted October 1987, as
8 such plan may be revised or amended from time to time.

9 (b) RAPID RIVER MANAGEMENT AREA.—

10 (1) DESIGNATION.—The area on the Payette
11 National Forest, comprised of approximately 19,000
12 acres as generally depicted on the map entitled
13 “Rapid River Management Area—Proposed”, is des-
14 ignated as the Rapid River management area.

15 (2) MANAGEMENT EMPHASIS.—The manage-
16 ment emphasis for the Rapid River management
17 area shall be on water quality, anadromous fish
18 habitat, and recreation. No roads may be con-
19 structed.

20 (c) WEST MEADOW CREEK WATERSHED PROTEC-
21 TION PROJECT.—

22 (1) PURPOSE.—The Secretary shall conduct a
23 project on the lands described in paragraph (2) in
24 order to determine the feasibility and desirability of
25 decisionmaking with respect to management of Na-

1 tional Forest lands utilizing the methodology and
2 procedure described in this subsection.

3 (2) LANDS.—The project required by this sub-
4 section shall encompass management decisions af-
5 fecting the lands generally depicted on the map enti-
6 tled “West Meadow Creek Area” dated _____,
7 1994.

8 (3) METHODOLOGY.—In order to carry out the
9 project required by this subsection, the Secretary
10 shall determine—

11 (A) the historical range of variability of in-
12 herent components and processes of ecosystems,
13 including but not limited to water quality and
14 quantity, and fish and wildlife populations and
15 habitat, and vegetation density and structure;

16 (B) conditions of the relevant ecosystem
17 components and processes as of the date of the
18 enactment of this Act; and

19 (C) the range of desired future conditions
20 among the relevant ecosystem components and
21 processes.

22 (4) PUBLIC INVOLVEMENT.—Determinations
23 about the range of desired future conditions among
24 relevant ecosystem components and processes shall
25 be made with public participation.

1 (5) MANAGEMENT.—For a period of 10 years
2 beginning on the date of enactment of this Act, the
3 lands referred to in paragraph (2) shall be managed
4 to reach and maintain the range of desired future
5 conditions, as determined pursuant to paragraph
6 (3). After such period, the Secretary may continue
7 to manage such lands in such manner to the extent
8 the Secretary determines appropriate and desirable.

9 (6) REPORT.—No later than _____ years after
10 the date of enactment of this Act, the Secretary
11 shall report to the appropriate committees of the
12 House of Representatives and the Senate concerning
13 the implementation of this subsection and the fea-
14 sibility and desirability of utilizing the methodology
15 and procedures described in this subsection in con-
16 nection with the management of other lands within
17 the National Forest System.

18 (d) KANIKSU FOREST/BOUNDARY COUNTY DEM-
19 ONSTRATION PROJECT.—(1) The Secretary shall conduct
20 a demonstration project on the Kaniksu Forest within
21 Boundary County. The purpose of the project shall be to
22 demonstrate the change in timber volume as a result of
23 investing in good sites on lands both roaded and unroaded.

24 (2) SITES.—Within the 6 month period beginning on
25 the date of enactment of this Act, the Forest Service shall

1 locate sites on the roaded area of the Kaniksu National
2 Forest within Boundary County outside wilderness or
3 other areas where timber harvest is not permitted and
4 where timber productivity is greater than 50 cubic feet
5 per acre per year. Roadless sites that are included under
6 this provision shall be within the Farnum/Russell Special
7 Management Area. These sites shall be intensively man-
8 aged for timber production using systems consistent with
9 sustaining ecosystem health and productivity. These sys-
10 tems will have strong elements associated with classic
11 even-aged systems, while still maintaining structure that
12 is more commonly associated with uneven-aged systems.
13 Silvicultural practices shall include thinning, fertilization,
14 pruning, planting of diverse tree species originating from
15 genetically superior stocks. Provisions included in (f) (3),
16 (4), (5), and (6) of this section shall apply.

17 **SEC. 203. PAYETTE NATIONAL FOREST.**

18 (a) GENERAL MANAGEMENT DIRECTIVE.—The man-
19 agement areas designated by this section shall be adminis-
20 tered in accordance with applicable laws including this
21 Act; the laws, rules, and regulations applicable to the Na-
22 tional Forest System; and the document entitled the
23 “Payette National Forest Plan”, adopted _____, as such
24 plan may be revised or amended from time to time.

25 (b) RAPID RIVER MANAGEMENT AREA.—

1 (1) DESIGNATION.—The area on the Payette
2 National Forest, comprised of approximately 38,000
3 acres as generally depicted on the map entitled
4 “Rapid River Management Area—Proposed”, is des-
5 ignated as the Rapid River management area.

6 (2) MANAGEMENT EMPHASIS.—The manage-
7 ment emphasis for the Rapid River management
8 area shall be on water quality, anadromous fish
9 habitat, and recreation. No roads may be con-
10 structed.

11 (c) JACKSON BAR AIRSTRIP.—The Jackson Bar Air-
12 strip, commonly known as the Wilson Bar Airstrip, on the
13 south side of the Salmon River on the Payette National
14 Forest, section 28, R8E, T24N, within the Frank Church
15 River of No Return Wilderness shall be left open for use
16 by recreation aviators.

17 **SEC. 204. BOISE NATIONAL FOREST.**

18 (a) GENERAL MANAGEMENT DIRECTIVE.—The man-
19 agement areas and recreation area designated by this sec-
20 tion shall be administered in accordance with applicable
21 laws including this Act; the laws, rules, and regulations
22 applicable to the National Forest System; and the docu-
23 ment entitled the “Boise National Forest Plan”, adopted
24 August 1987, as such plan may be revised or amended
25 from time to time.

1 (b) BREADWINNER MANAGEMENT AREA.—

2 (1) DESIGNATION.—The area on the Boise Na-
3 tional Forest, comprised of approximately 41,000
4 acres as generally depicted on the map entitled
5 “Breadwinner Management Area—Proposed”, is
6 designated as the Breadwinner management area.

7 (2) MANAGEMENT EMPHASIS.—The manage-
8 ment emphasis for the Breadwinner management
9 area shall be on wildlife habitat, with timber and
10 range activities implemented so that wildlife habitat
11 is maintained or improved and scenic quality in vis-
12 ually sensitive areas is protected. Management ac-
13 tivities for other resources shall be consistent with
14 wildlife and visual resources.

15 (c) SNOWBANK MANAGEMENT AREA.—

16 (1) DESIGNATION.—The area on the Boise Na-
17 tional Forest, comprised of approximately 22,000
18 acres as generally depicted on the map entitled
19 “Snowbank Management Area—Proposed”, is des-
20 ignated as the Snowbank management area.

21 (2) MANAGEMENT EMPHASIS.—The manage-
22 ment emphasis for the Snowbank management area
23 shall be on recreation. Snowmobile use shall be per-
24 mitted, but the Secretary may not establish perma-
25 nent trails or roads or allow the use of other motor

1 vehicles, motorized equipment, or other form of me-
2 chanical transport other than for administrative pur-
3 poses.

4 (d) LIME CREEK—SOLDIER MOUNTAINS RECRE-
5 ATION AREA.—

6 (1) DESIGNATION.—The area on the Boise Na-
7 tional Forest, comprised of approximately 29,000
8 acres as generally depicted on the map entitled
9 “Lime Creek—Soldier Mountains Recreation Area—
10 Proposed”, is designated as the Lime Creek—Sol-
11 dier Mountains Recreation Area (hereafter in this
12 subsection referred to as the “recreation area”).

13 (2) ADMINISTRATION.—(A) The Secretary shall
14 administer and manage the recreation area so as to
15 preserve the area’s predominantly roadless char-
16 acter, with no additional road construction per-
17 mitted, and to enhance scenic and watershed values,
18 wildlife habitat, and dispersed recreation.

19 (B) The Secretary may, in his discretion and in
20 accordance with Executive Orders 11644 and 11989,
21 permit limited use of the area by motorized vehicles
22 and equipment on roads and trails existing on Janu-
23 ary 25, 1994, for administrative purposes (including
24 trail maintenance), for activities associated with ex-
25 isting levels of livestock grazing, and for recreational

1 vehicle access where such access was established
2 prior to January 25, 1994, but only where such uses
3 are compatible with the protection and propagation
4 of fish and wildlife within the recreation area.

5 **SEC. 205. MANAGEMENT PLANS.**

6 (a) CHANGE TO CONFORM TO THE PROVISIONS OF
7 THIS ACT.—The Secretary shall modify the existing land
8 and resource management plans for the national forests
9 affected by this Act to incorporate the provisions of this
10 Act in their entirety. This incorporation shall not be treat-
11 ed as a revision or amendment to the forest plan for the
12 purposes of section 6 of the Forest and Rangeland Renew-
13 able Resources Planning Act of 1974.

14 (b) GENERAL APPLICABILITY OF EXISTING
15 PLANS.—The management areas, historic area, and forest
16 demonstration projects designated by this title shall be
17 managed in accordance with applicable laws including this
18 Act and the laws, rules, and regulations applicable to the
19 National Forest System and, except as otherwise specifi-
20 cally provided in this Act, in accordance with the applica-
21 ble land management plan for each such area in effect
22 on January 25, 1994, and revisions or amendments to
23 such plans that may be adopted from time to time that
24 are not inconsistent with this Act or such laws, rules, and
25 regulations.

1 (c) RULE OF CONSTRUCTION.—Except as provided in
2 subsection (a), nothing in this Act shall be construed to
3 affect or modify the process of revising or amending land
4 and resource management plans pursuant to section 6 of
5 the Forest and Rangeland Renewable Resources Planning
6 Act of 1974.

7 **SEC. 206. MAP AND DESCRIPTION.**

8 As soon as practicable after enactment of this Act,
9 the Secretary shall file a map and a legal description of
10 each management areas, historic area, and forest dem-
11 onstration projects designated under this title with the
12 Committee on Natural Resources and the Committee on
13 Agriculture of the House of Representatives and with the
14 Committee on Energy and Natural Resources of the Sen-
15 ate. Each such map and description shall have the same
16 force and effect as if included in this Act, except that cor-
17 rection of clerical and typographical errors in such map
18 and legal description may be made. Each such map and
19 legal description shall be on file and available for public
20 inspection in the Office of the Chief of the Forest Service,
21 United States Department of Agriculture.

22 **SEC. 207. WATER QUALITY ON THE PANHANDLE NATIONAL**
23 **FOREST.**

24 (a) IN GENERAL.—The Secretary shall review the
25 water quality standards in effect on the date of the enact-

1 ment of this Act on the Panhandle National Forest to de-
2 termine if such standards are sufficient to protect fish-
3 eries, watersheds and water quality on that national for-
4 est. If the Secretary finds that such standards—

5 (1) are not sufficient, the Secretary shall de-
6 velop water quality standards which are sufficient to
7 protect fisheries, watersheds and water quality on
8 the national forest and include such standards in the
9 report required by subsection (b); or

10 (2) are sufficient but are not being met, the
11 Secretary shall address why such standards are not
12 being met in the report required by subsection (b).

13 (b) REPORT.—Within 18 months after the date of the
14 enactment of this Act, the Secretary shall submit a report
15 to the Congress which shall include the findings of the
16 Secretary under subsection (a) and any other matter re-
17 quired to be included in the report by subsection (a). Each
18 report shall contain a summary of the comments received
19 pursuant to subsection (c).

20 (c) PUBLIC COMMENT.—The Secretary shall provide
21 an opportunity for public comment on the report before
22 submitting the report to Congress under subsection (b).

23 **SEC. 208. MONITORING OF MANAGEMENT AREAS.**

24 (a) IN GENERAL.—The Secretary shall review exist-
25 ing monitoring efforts by the State, Federal Government,

1 and Indian tribes for each of the management areas, his-
2 toric area, and forest demonstration projects designated
3 by this title to determine whether such efforts assure that
4 adequate information is available to assure compliance
5 with applicable standards in the land and resource man-
6 agement plan applicable to the management area. If under
7 such efforts adequate information—

8 (1) is not available, the Secretary shall develop
9 and implement a monitoring program to collect in-
10 formation that is needed; and

11 (2) is available, the Secretary shall, upon the
12 availability of such information, use such informa-
13 tion when implementing activities under the plan.

14 (b) REPORT.—Not later than four years after the
15 date of the enactment of this Act and every four years
16 thereafter, the Secretary shall submit a report to Congress
17 that assesses the effectiveness of these designations made
18 by this title to assure proper management of the des-
19 ignated areas, and the monitoring of those areas, includ-
20 ing the types of information being collected by the Sec-
21 retary pursuant to subsection (a). Each report shall con-
22 tain a summary of the comments received pursuant to sub-
23 section (c).

24 (c) PUBLIC COMMENT.—In implementing this section
25 and before submitting a report to Congress under sub-

1 section (b), the Secretary shall provide an opportunity for
2 public comment, including comment by scientists, inter-
3 ested agencies, and user groups.

4 **TITLE III—RELEASE TO MUL-**
5 **TIPLE USE AND WATER**
6 **RIGHTS**

7 **SEC. 301. WILDERNESS REVIEW.**

8 (a) FINDINGS.—The Congress finds that—

9 (1) the Department of Agriculture has studied
10 the suitability of roadless areas for inclusion in the
11 National Wilderness Preservation System; and

12 (2) the Congress has made its own review and
13 examination of National Forest System roadless
14 areas in the State of Idaho and the environmental
15 impacts associated with alternative allocations of
16 such areas.

17 (b) JUDICIAL REVIEW.—On the basis of such review,
18 the Congress hereby determines and directs that—

19 (1) without otherwise passing on the question of
20 the legal and factual sufficiency of the wilderness
21 suitability review of the land and resource manage-
22 ment plans and their associated environmental im-
23 pact statements for National Forest System lands in
24 the State of Idaho completed prior to the enactment
25 of this Act, determinations and recommendations as

1 to the suitability of roadless areas for inclusion in
2 the National Wilderness Preservation System and
3 the environmental analyses directly related to such
4 determinations and recommendations (prior to the
5 revision of such plans) shall not be subject to judi-
6 cial review, except that—

7 (A) except for determinations and rec-
8 ommendations on suitability for inclusion in the
9 National Wilderness Preservation System, noth-
10 ing in this section shall preclude judicial review
11 of land and resource management plans or deci-
12 sions implementing such plans or any decisions
13 made concerning the management of National
14 Forest System lands other than the suitability
15 determinations; and

16 (B) except for wilderness suitability deter-
17 minations, nothing in this section shall preclude
18 judicial review of Forest Service regional guides
19 and other departmental policies of general ap-
20 plicability, nor prevent a court from invalidating
21 forest planning decisions which fail to comply
22 with applicable law; and

23 (2) the wilderness suitability review and evalua-
24 tion of those National Forest System lands in the
25 State of Idaho which were reviewed by the Depart-

1 ment of Agriculture in the Land and Resource Man-
2 agement Plans, and those lands referred to in sub-
3 section (g), shall be deemed an adequate consider-
4 ation of the suitability of such lands for inclusion in
5 the National Wilderness Preservation System, and
6 the Department of Agriculture shall not be required
7 to review the wilderness option prior to the first re-
8 vision of the Land and Resource Management Plans
9 to occur after 10 years following enactment of this
10 Act, but shall review the wilderness options there-
11 after when the plans are revised, which revisions will
12 ordinarily occur on a 10-year cycle, or at least every
13 15 years.

14 (c) RELEASE.—Those National Forest System lands
15 in the State of Idaho which were not designated as wilder-
16 ness or management areas, historic area, or forest dem-
17 onstrations projects by this Act shall be managed for mul-
18 tiple use in accordance with land and resource manage-
19 ment plans developed pursuant to section 6 of the Forest
20 and Rangeland Renewable Resources Planning Act of
21 1974, as amended by the National Forest Management
22 Act of 1976, and other applicable law, and those areas
23 need not be managed for the purpose of protecting their
24 suitability for wilderness designation prior to or during re-
25 vision of the land and resource management plans.

1 (d) PLAN REVISIONS.—In the event that revised land
2 management plans in the State of Idaho are implemented
3 pursuant to section 6 of the Forest and Rangeland Renew-
4 able Resources Planning Act of 1974, as amended by the
5 National Forest Management Act of 1976, and other ap-
6 plicable law, areas not recommended for wilderness des-
7 ignation need not be managed for the purpose of protect-
8 ing their suitability for wilderness designation for a mini-
9 mum of 10 years after the date of enactment of this Act,
10 and areas recommended for wilderness designation shall
11 be managed for the purpose of protecting their suitability
12 for wilderness designation.

13 (e) FURTHER REVIEW.—Unless expressly authorized
14 by Congress, the Department of Agriculture shall not con-
15 duct any further statewide roadless area review and eval-
16 uation of National Forest System lands in the State of
17 Idaho for the purpose of determining their suitability for
18 inclusion in the National Wilderness Preservation System.

19 (f) REVISIONS.—As used in this section, and as pro-
20 vided in section 6 of the Forest and Rangeland Renewable
21 Resources Planning Act of 1974, as amended by the Na-
22 tional Forest Management Act of 1976, the term “revi-
23 sion” shall not include an amendment to a land and re-
24 source management plan.

1 (g) ROADLESS AREAS LESS THAN 5,000 ACRES.—
2 The provisions of this section shall also apply to those Na-
3 tional Forest System roadless lands in the State of Idaho
4 which are less than 5,000 acres in size.

5 **SEC. 302. WATER RIGHTS.**

6 Nothing in this Act, or any other Act, shall be con-
7 strued as providing the basis for assertion of any claim
8 for any United States water right for lands designated as
9 wilderness or special management areas by this Act. Noth-
10 ing in this Act shall be construed as authorizing the use
11 of eminent domain to acquire water or water rights for
12 such lands.

13 **TITLE IV—IDAHO RURAL**
14 **ECONOMIC DEVELOPMENT**

15 **SEC. 401. FINDINGS AND PURPOSES.**

16 (a) FINDINGS.—The Congress finds the following:

17 (1) Idaho's rural communities are faced with
18 the need to diversify their economic base.

19 (2) The natural resources and the infrastruc-
20 ture of Idaho's national forests need to be rehabili-
21 tated to enhance the quality of Idaho's national for-
22 ests.

23 (3) Solutions to these issues can be complemen-
24 tary if employment opportunities are created that
25 accomplish the much needed natural resources work,

1 including the backlog of work which has accumu-
2 lated over time in Idaho.

3 (b) PURPOSE.—The purposes of this title are to in-
4 crease the ability of the Secretary of Agriculture to provide
5 additional assistance under existing authority of such Sec-
6 retary to rural communities located in or near national
7 forests in the State of Idaho to aid in diversifying these
8 communities' economic bases and to complete needed eco-
9 system restoration and rehabilitation projects to improve
10 the quality of Idaho's national forest resources.

11 **SEC. 402. ECOSYSTEM RESTORATION AND REHABILITATION**
12 **PROJECTS.**

13 (a) IN GENERAL.—The Secretary shall utilize the au-
14 thority of the National Forest-Dependent Rural Commu-
15 nities Diversification Act of 1990 (7 U.S.C. 6611 et seq.)
16 to effect the purposes of this title and shall promote eco-
17 system restoration and rehabilitation programs and
18 projects through technical assistance, grants, and coopera-
19 tive agreements with agencies of the State of Idaho, local
20 governments, organizations, private corporations, and
21 landowners.

22 (b) ECOSYSTEM RESTORATION.—Rehabilitation
23 projects which may be carried out under subsection (a)
24 include—

1 (1) rehabilitation of watersheds and riparian
2 areas;

3 (2) closure of timber and other roads, obliteration of temporary roads, and revegetation and stabilization of road cuts and fills;

6 (3) reduction of nonpoint source pollution through revegetation;

8 (4) restoration and enhancement of fish and wildlife habitat;

10 (5) silvicultural treatment of forest stands to restore vigor, improve health, and reduce risk of wildfire;

13 (6) riparian-related pasture fencing on range allotments;

15 (7) rehabilitation of mines;

16 (8) inventory, treatment, and control of noxious weeds; and

18 (9) maintenance of existing trails currently in substandard condition.

20 (c) PRIORITIZING PROJECTS.—In establishing priority projects for the purposes of this section, the Secretary shall give priority to the following:

23 (1) Implementation of projects which will allow
24 for future flexibility in commodity products from

1 limited watersheds and which would assist in chi-
2 nook salmon recovery efforts.

3 (2) Repair of high-volume recreation roads
4 which would greatly reduce sedimentation into criti-
5 cal anadromous fish waterways.

6 (d) PRIORITY PROJECTS.—In carrying out this sec-
7 tion, the Secretary shall give priority to the following
8 areas:

9 (1) PANHANDLE NATIONAL FOREST.—Priority
10 drainages listed as unscheduled in the forest plan for
11 the Idaho Panhandle National Forests (1987):

12 (A) COEUR D'ALENE RIVER DRAINAGE.—
13 All creeks located within the Coeur D'Alene
14 River drainage and the Coeur D'Alene River.

15 (B) CLARK FORK DRAINAGE.—

16 (i) Lightening Creek.

17 (ii) Grouse Creek.

18 (iii) Trestle Creek.

19 (C) ST. JOE DRAINAGE.—

20 (i) Gold Creek.

21 (ii) Bruin Creek.

22 (iii) Quartz Creek.

23 (D) ST. MARIES RIVER DRAINAGE.—

24 (i) Fish Hook Creek.

25 (ii) Norton Creek.

1 (iii) West Fork Mary.

2 (iv) Little East Fork Emerald.

3 (v) Catspur.

4 (2) CLEARWATER NATIONAL FOREST.—

5 (A) Lolo Creek.

6 (B) Eldorado Creek.

7 (C) Yoosa Creek.

8 (D) Crooked Fork.

9 (E) Pete King.

10 (F) Canyon Creek.

11 (G) Deadman Creek.

12 (H) China Creek.

13 (I) Osier Creek.

14 (J) Laundry Creek.

15 (K) Sheep Creek.

16 (L) Sneak Creek.

17 (M) South Fork Beaver Creek.

18 (N) Quartz Creek.

19 (3) NEZ PERCE NATIONAL FOREST.—Projects
20 listed in Part I of the document entitled “Economic
21 Sustainability and Diversification Options, 1993”.

22 (4) PAYETTE NATIONAL FOREST.—

23 (A) Ruby Road.

24 (B) Grouse Creek Road.

25 (C) Lake Creek Road.

1 (D) California Lake.

2 (E) Projects listed in the document enti-
3 tled “South Fork Salmon River Restoration
4 Strategy”, dated March 1989.

5 (5) BOISE NATIONAL FOREST.—

6 (A) MIDDLE FORK SALMON.—

7 (i) Elk Creek (trib to Bear Valley
8 Creek).

9 (ii) Bear Valley Creek.

10 (B) SOUTH FORK SALMON.—

11 (i) Upper South Fork Salmon.

12 (ii) Johnson Creek.

13 (C) BOISE RIVER.—

14 (i) Mores Creek.

15 (ii) Grimes Creek.

16 (iii) Lower South Fork Boise.

17 (iv) Upper South Fork Boise.

18 (v) North Fork Boise.

19 (D) PAYETTE RIVER.—

20 (i) Middle Fork Payette.

21 (ii) Squaw Creek Basin.

22 (e) PRIORITY COMMUNITIES.—In implementing this
23 section, the Secretary shall give priority consideration to—

24 (1) the areas of highest unemployment that are
25 in or near national forests in the State of Idaho; and

1 (2) rural communities in the State of Idaho
2 that have historically been dependent on national
3 forest system lands.

4 (f) RURAL COMMUNITY.—For the purposes of this
5 title, the term “rural community” has the same meaning
6 given such term by section 2374(3) of the National For-
7 est-Dependent Rural Communities Diversification Act of
8 1990 (7 U.S.C. 6612(3)).

9 **SEC. 403. AUTHORIZATION OF APPROPRIATIONS.**

10 There is authorized to be appropriated such sums as
11 may be necessary to carry out this Act.

○

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